IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 858 of 2007

ST.3360/2003 of J.M.F.C.,OTTAPPALAM
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PETITIONER/ACCUSED

M.KRISHNAN, S/O.MURUGAN,
AGED 54 YEARS, MANNADIAR LANE,
CHITTUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. A.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/02/2007 ALONG WITH B.A NOS: 859/2007 AND 860/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. Nos. 858, 859 and 860 OF 2007 B

Dated this the 13th day of February, 2007

O R D E R

The common petitioner in all these cases is the accused in S.T.Nos.3360/03, 5582/03 and 5585/03 on the file of the JFCM, Ottapalam for offences punishable under section 138 of the Negotiable Instruments Act, 1881 with regard to various amounts covered by the cheques involved in those cases. The petitioner seeks anticipatory bail in all the cases.

2. Consequent on the non-appearance of the petitioner before the JFCM, Ottapalam, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. The petitioner has a case that the matter is being settled by payment of the requisite amount. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files applications for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably, on the same date on which they have filed, after considering the contentions of the petitioner that

the matter is squared up with the respective complainants. Such consideration shall be despite the pendency of non-bailable warrants against the petitioner.

These bail applications are disposed of as above.

(V. RAMKUMAR, JUDGE)

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